



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

UNITED STATES OF AMERICA

v.

RENALDO LEE CARTER

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CASE NO. 1:03-CR-127(1)

**MEMORANDUM ORDER ADOPTING
FINDINGS OF FACT AND RECOMMENDATION**

The Court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge. In accordance with 18 U.S.C. § 3401(I) and 18 U.S.C. § 3583(e), Judge Giblin held a hearing and submitted findings of fact and a recommendation (#68) on the revocation of defendant's supervised release. The magistrate judge recommended that the Court revoke the defendant's supervised release and impose a term of imprisonment for the revocation.

The parties have not objected to Judge Giblin's report.¹ The Court **ORDERS** that the findings of fact and recommendation (#68) are **ADOPTED**. The Court finds that the defendant,

¹The defendant did submit *pro se* letters (#69, #70) to the Court, but the letter does not contain specific objections to the magistrate judge's recommended sentence. The Court construes the letter as an allocution regarding the imposition of sentence. Furthermore, because the defendant is represented by counsel, the Court also finds that the letter may be disregarded because a criminal defendant does not have the right to "hybrid representation"—representation partly by counsel and partly by himself. 28 U.S.C. § 1654; *United States v. Daniels*, 572 F.2d 535, 540 (5th Cir. 1978). The Defendant's *pro se* letters may be overruled for this reason alone.

Renaldo Lee Carter, violated conditions of his supervised release. The Court **REVOKES** his term of supervision. Pursuant to Judge Giblin's recommendation, the Court **ORDERS** the defendant to serve a term of forty-six (46) months imprisonment for the revocation. The Court finally **ORDERS** that the defendant receive no additional term of supervised release upon being released from custody.

So **ORDERED** and **SIGNED** this **9** day of **February, 2010**.

A handwritten signature in black ink, appearing to read "Ron Clark", written in a cursive style.

Ron Clark, United States District Judge